

HOUSE No. 1653

By Mr. Wagner of Chicopee, petition of Joseph F. Wagner and others for legislation to provide for timely final payments on contracts for public works construction projects. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

PETITION OF:

Joseph F. Wagner	Michael E. Festa
John Pourbaix,	Karen Spilka
Executive Director	

In the Year Two Thousand and Five.

AN ACT TO PROVIDE TIMELY FINAL PAYMENT FOR CONTRACTS FOR PUBLIC WORKS CONSTRUCTION IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 39G of chapter 30 of the General Laws is hereby
2 amended by adding the following new paragraph at the end
3 thereof:—
4 The awarding authority shall give written notice to the con-
5 tractor within 365 days of issuance of a final estimate, or within
6 425 days of receipt of notice from the contractor stating that all of
7 the work required by the contract has been completed, whichever
8 is later, of any quantity or amount of all or part of any work item
9 or extra work item, which the awarding authority determines to
10 adjust, stating specifically what item or items and the quantity or
11 amount that the authority has determined to be a final quantity or
12 amount. Failure of the authority to give such notice shall preclude
13 any adjustment thereafter.